

(2-100.)

Record,

Intf. Page,

323.

1891.

8.

Interference.

No. 15,447

17-11-91

A. K. Keller

S. 384,477

vs.

T. A. Edison and
J. F. 044.

Coin Operated
Photograph

M. H. 18/91

1891.

ATTORNEYS.

A. K. Keller,
Jr. Thos. Erving Jr.,
155 Broadway
N. Y. City.
Asso. Vernon M. Dorsey
918 F. St. City

Edison & Co.,
J. Dyer & Sons,
N. Y. City.
36 Wall St.

(2-070.)

INDEX.

INTERFERENCE.

No. 15.447.

Keller

v.

Edison & Co.

SUBJECT-MATTER:

Coin Operated
Photograph.

(2-080.)

Intf Y

Room No. _____

All communications should be addressed to
"The Commissioner of Patents,
Washington, D. C."

#15,447

DEPARTMENT OF THE INTERIOR,

United States Patent Office,

Washington, D. C., Nov. 2, 1889.

EXAMINER OF INTERFERENCES.

An interference is found to exist between the following cases, and in respect to the invention therein specified, to wit:

CASES.

1. A. K. Keller of New York City for
Machine for Automatically
Operating Phonographs, filed Mar. 10, 1891; Ser. No. 384,477.

whose attorney is Thos. Ewing, Jr., of New York City.

T. A. Edison of Llewellyn Park, N. J.

2. and J. F. Ott of Orange, N. J. for

Controlling Devices

for Phonographs, filed Dec. 29, 1889 Ser. No. 376,043,

whose attorney is are Dyer & Seely of New York City

3. of for

filed, 188 ; Ser. No.

whose attorney is of

INVENTION.

The combination in a coin attachment, of a sliding rod, a
handle for moving it, a lug extending from the rod into the coin
passage and adapted to press on a coin therein, and a dash-pot
connected with said rod.

The foregoing issue covers claim 9 of Keller's application,

(283-3,000.)

and claim 14 of Edison and Ott's application.

G. W. Maxson.
Examiner

15447 — 2,8.

Keller
VS.
Edison & Ott

STATEMENT OF
Edison & Ott

Filed Jan'y 20 1892.
Approved " 25, 1892.
C. F. G.

IN THE UNITED STATES PATENT OFFICE.

In the Matter
of
the Interference declared November 2,
1891, between the Applications of A. K.
Keller and Edison & Ott, relating to
Coin-Controlled Phonographs.

Preliminary Statement of Edison & Ott.

State of New Jersey :
County of Essex : ss.

THOMAS A. EDISON and JOHN F. OTT, being duly sworn, depose and say: that they are jointly parties to the above named interference; that they conceived the invention set forth in claim 14 of their application about the early part of October, 1890, and at that time described said invention to others and made sketches illustrating said invention, and that immediately thereafter working drawings of said invention were made and a model of said invention completed about the latter part of said month, and that since that time several machines of the same kind have been made for commercial use.

Subscribed and sworn to before me :
this 8th day of December 1891 :

John B. Randolph
Notary Public.

Thomas Edwin
John F. Pitt

IN THE UNITED STATES PATENT OFFICE,

In the Matter

of

the Interference No. 15,447, declared
November 2, 1891, between the applica-
tions of A. K. Keller and Edison & Ott,
relating to Coin-Controlled Phonographs:

Amended Preliminary Statement of Edison & Ott.

State of New Jersey :
: ss.
County of Essex :

THOMAS A. EDISON & JOHN F. OTT, being duly sworn, depose and say that they are jointly parties to the above entitled interference; that they conceived the invention set forth in claim 14 of their application in interference about the early part of October 1890 and at that time disclosed said invention to others and made sketches illustrating said invention; that immediately thereafter working drawings of said invention were made; that in the latter part of October 1890 they began the construction of a working apparatus embodying said invention, but that said apparatus was not completed until after the filing of their application in interference; that since the filing of said application several machines of the same kind have been made by them.

Subscribed and sworn to before me :
this 19th day of January 1892 :

John D. Randolph
Notary Public
State of New Jersey.

Thomas Edison
John F. Ott

15447

H

Keller

VS.

Gordon & Ott

STATEMENT OF

Keller

Filed Dec. 10, 1891.
Approved " 24, 1891,

G.F.C.

-----X
Interference in the
United States Patent Office

No. 15447 Y

THOMAS A. EDISON

-VS-

ALBERT K. KELLER.
-----X

Preliminary statement
by A. K. Keller.

ALBERT K. KELLER, of the CITY, COUNTY and STATE of
NEW YORK, being duly sworn, says, that he is a party to the
Interference declared by the Commissioner of Patents Novem-
ber 2d., 1891, between Albert K. Keller's application for
Letters Patent filed March 10th., 1891, Ser. No. 384,477,
and an application of Thomas A. Edison; that he conceived
the invention contained in the claim of his application de-
clared to be involved in this interference, namely claim 9
in or about the month of December 1889; that he made draw-
ings and explained said invention to others and embodied
said invention in a full sized machine in or about the
month of December 1889, which was successfully operated at
the shop of the Gilliland Electric Company in Adrian, Lena-
wee County, State of Michigan, and that he has since used
the same; that he never made a model.

Albert K. Keller

Subscribed and sworn to before me

this 9th., day of December, 1891.

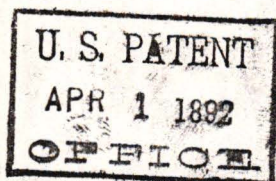
*Paul Gorham, Notary Public
Kings Co., N.Y.
Cert. filed in N.Y. Co.*

Intf. No. 15744 Paper No. 11

Keller
vs.

Edison & Ott

Motion by Edison &
Ott for judgment
on the record and
waiver of appeal
by Keller



IN THE UNITED STATES PATENT OFFICE. :

In re Interference :

Subject Matter :

Keller :

Phonographs No. 15447. :

vs :

Edison & Ott. :

For the purpose of an early termination of this interference it is hereby acknowledged by and on behalf of Albert K. Keller, the junior party to this interference that the time for taking of testimony in behalf has expired and that no such testimony has been taken.

And the said Albert K. Keller hereby waives his right to notice of any motion made or to be made by Edison & Ott for an order entering judgement against him, Albert K. Keller, on the above concession, and he the said Albert K. Keller further waives his right to subsequent day at which to show cause why the said judgement shall not be entered, it being agreed by and on behalf of the said Albert K. Keller that the said said Edison & Ott shall be entitled to the entry of a judgement against him, the said Albert K. Keller, immediately upon making motion therefor.

*All these signatures affixed
in the presence of
Thomas Ewing Jr
Attorney General
March 31' 1892.*

*Albert K. Keller
Egbert T. Gilliland
assignor
Automatic Phonograph Exhibition Co
Assignee of Egbert T. Gilliland
by Felix Gottschalk
President*

IN THE UNITED STATES PATENT OFFICE.:

In re Interference

Keller

vs

Edison & Ott.

Subject Matter

Phonographs No. 15447.

And now comes Edison & Ott, senior parties to this interference by Dyer & Seely, their attorneys, and move that a judgement be entered in this interference against Albert K. Keller the junior party hereto on the showing contained in the concession of the said Keller.

Edison & Ott,

by their Attorneys,

March 31 '89 2

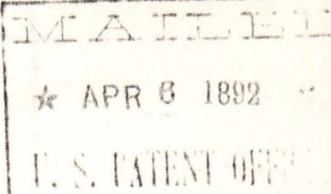
Jen Seely

And now comes the said A. K. Keller by his Associate Attorney *Thomas M. Dorsey* and waives any appeal from any judgement hereafter to be made in accordance with this motion

Thomas M. Dorsey
Associate for Keller

E.C.C.

(2-067.)



DEPARTMENT OF THE INTERIOR,

United States Patent Office,

Washington, D. C., April 6, 1892.

IN RE INTERFERENCE

Keller

No. 15,447.

Edison & Ott

Before the Examiner of Interferences.

Coin Operated Phonograph.

This interference was declared November 18, 1891, and on February 1, 1892, statements were approved and times first set for taking testimony. Keller, the junior party, was given until March 22, 1892, in which to close his testimony in chief. On April 1, 1892, Edison & Ott filed a motion that a judgment be entered against Keller, the junior party, for the reason that he had taken no testimony within the time set for that purpose. The showing accompanying this motion is an instrument in writing executed by Albert K. Keller, Ezra T. Gilliland and the Automatic Phonograph Exhibition Co. as assignees. In such instrument it is admitted that Keller is the junior party and that the time has expired for taking testimony in his behalf; that no testimony has been taken, and that said Keller waives his right to notice of any motion made or to be made by Edison & Ott for an order entering judgment against him, and further waives his right to subsequent day on which to show cause

why judgment should not be entered, it being admitted on behalf of said Keller that Edison & Ott are entitled to an entry of judgment against him immediately upon making motion therefor. Said motion stands as heard on April 5th. and the said Keller having waived any right of appearance, right of notice, or right of showing to be made, under Rule 119, judgment of priority of invention is hereby rendered in favor of Edison & Ott, under said Rule, for the reason that the said Keller is a junior party and has taken no testimony within the time assigned him for that purpose and such time having expired. Said Keller having by his attorney waived any appeal from this judgment, the same is declared to be final and it is ordered, that the application files and papers of the respective parties be forthwith transmitted to the primary examiner.

Walter Johnson
Examiner of Interferences.

Int. No. 13-447 Paper No. 12.

Keller

Edison & Ott.

*Decision of pri-
ority in favor
of Edison & Ott.
April 6/92.*

Recorded Vol 40. p. 102